

**AP[®] UNITED STATES GOVERNMENT AND POLITICS
2007 SCORING GUIDELINES**

Question 4

5 points

Part (a): 1 point

One point is earned for defining federalism. A common definition is: a constitutional division of power between levels (national and state) of government.

Part (b): 2 points

One point is earned for each explanation of how a categorical grant, federal mandate, or selective incorporation has been used to increase federal power relative to the states.

An acceptable explanation of a categorical grant:

- A grant designed for a specific purpose.
- States must spend money in accord with national government's wishes.

An acceptable explanation of a federal mandate:

- A federal government tells states what policies to implement.

An acceptable explanation of selective incorporation:

- Federal courts can overturn state and local practices.

Part (c): 2 points

One point is earned for each explanation (maximum 2 points) of how the Welfare Reform Act of 1996, block grants, or the Tenth Amendment has been used to increase the power of the states relative to the federal government.

Acceptable explanations of the Welfare Reform Act of 1996 include:

- States were given the power and money to run their own welfare program.
- States were given discretion to determine how to implement the federal goal of transferring people from welfare to work.

Acceptable explanations of block grants include:

- It is targeted money.
- Block grants to states have few strings attached, so states can make decisions about the details of where the money goes.

Acceptable explanations of the Tenth Amendment include:

- It reserves power to the states and to the people
- It is being used to argue that power be returned to states.

A score of zero (0) is earned for an attempted answer that receives no points.

A score of dash (—) is earned for a blank or off-task answer.

a. Federalism is a system of government in which power ^{and shared} is divided between the national government and the states, and other levels of government. ~~power is shared~~

b. ¹ categorical grants increase the power of congress in determining ^{how} ~~where~~ the ~~primary~~ government money allotted to the states is to be spent. States like categorical grants less than simple block grants because categorical grants specify how the state is to spend the money, for example on roadways. The national government has an upper hand in determining the ~~states~~ money granted.

² Federal mandates increase the power of the federal government because they ^{issue} ~~have~~ an action that the state must do within a certain length of time. They can be both funded or unfunded. Two controversial unfunded mandates have been the Americans with Disability Act, that required buildings to be equipped with handicap devices or facilitations, and the no child left behind Act. Both unfunded mandates ~~were~~ lessened the power of the state, as opposed to the federal government because the states are required to comply to the rules lacking government funding, ~~the~~ and were sometimes left without the resources to do so. The national government is basically mandating an action.

Write in the box the number of the question you are answering on this page as it is designated in the exam.

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4A 2

1. c. BLOCK grants increase the power of states relative to the federal government because the individual state determines how the money will be spent. The federal government rarely gives block grants because they are so broad and the state has the power in determining where federal money will go - and sometimes it is not the intended or valued place. For example, one state bought air conditioned garbage trucks with federal money.

~~Block grants are used to fund a wide variety of state and local government programs. They are often used to fund education, health care, and social services. Block grants are typically used to fund programs that are not specifically defined by federal law.~~

2. The tenth Amendment specifies that all powers not previously mentioned are left to the states. The states are able to determine the voting process (which many southern states used to undermine the impact of potential African American votes) and the Supreme Court determined in *Roper v. Simmons* that the issue of capital punishment be left to the states as well. This allows ~~states~~ innovative and diversified / experimental procedures to the individual state. Many states have ~~readily~~ claimed support of the 10th Amendment for conducting unpopular procedures.

- ④ a.) Federalism is a system of government in which power is divided between the national Government and the local/state governments, each being supreme in its own sphere.
- b.) Categorical grants are specific grants given to the states by the federal government. Unlike the flexible block-grants, categorical grants have specific restrictions and limitations on how the money granted is to be spent. This increases the federal government's power over the states because although the federal government is helping the states by providing funding, the limits and strings attached to the grant makes it more difficult to be effectively used.
- Selective incorporation means applying basic standards and laws to each state in the U.S., and it also specifically refers to the Incorporation Clause of the 14th Amendment which extended the Bill of Rights to the states. This increases federal law by applying federal government-level standards to the state level, expanding the federal government's influence on the states.
- c.) Block grants are grants given to the states by the federal government which are flexible and non-binding, with no strings attached to ~~see~~ specific

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4B₂

(c) continued.

way in which the money is spent. Block grants increase the power of the states relative to the federal government because they allow the states the freedom to spend the federal government's money in any way the states deem necessary.

- The Tenth Amendment is called the states' Rights amendment because it gives any powers not specifically granted to the federal government to the states. The Tenth Amendment greatly expanded states' rights relative to the federal government and continues to be a source of power for the states.

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The framers of the U.S. ~~Constitution~~ ⁴⁰¹ Constitution during ~~the~~ the Constitutional convention ~~did~~ decided to create a federal system because they see it best fit our ~~our~~ country.

Federalism is when there is a distinction between the federal government and the state government with the federal government being the supreme ~~is~~ ~~superior~~ superior of the two.

~~As~~ ~~ago~~

Great current examples of federal government's superiority over the state ~~is~~ ~~is~~ evident in categorical grants and federal mandates.

First of all the categorical grants are grants given to the state from the federal government to improve the state ~~is~~ being of whatever the categorical grant is for. For example if a categorical grant is given to New York for ~~infrastructure~~ infrastructure, New York ~~is~~ can only use the money to improve its roads, bridges, etc but not in ^{fields} like health welfare, or housing. The ~~fact~~ more fact that money

Comes from the federal gov should give a great hint that the power rests in the federal government. With competitions from the 50 states for money and the ^{federal} governments limitation on what these grants can be for, ~~#~~ Categorical grants clearly shows the federal governments power over the state government.

Another is federal mandates for funds. Federal mandates are very specific that states would have to meet if they want to get aids and funds from the federal government. These mandates act as a pressure/away for the federal gov to get the states to do something that the federal gov wants. For example to get a housing fund the federal gov. might require that the states ~~want~~ who want to qualify meet a standard set by the federal gov. in regards to equal opportunities for employment. This way the states who want this grant will have to follow the federal gov's wishes.

However in our quite balanced federal system the states sometimes have the upper hand on certain aspects.

First, Block grants for example shows state

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4 C3

rights. Block grants are given to the state by federal government to improve the standards of the states. Unlike the categorical grants, block grants are more open as to what it can be used for. Therefore states can take advantages of block grants to improve on whatever they feel necessary. Whether it's in education, welfare or infrastructure. This degree of freedom increase the power of the state in deciding what to do.

Also, the Tenth Amendment is a great asset in regards to the power of states. The Tenth Amendment in the Constitution states that ~~the~~ whatever powers not given to the ~~state~~ federal gov by the Constitution is reserved for the state and the people respectively. This clause of the amendment greatly increase the power for states to interpret / expand their power. For example ~~the~~ topics on education, voter registration, garbage disposal, public affairs are all up to the decision of individual states. Overall the 10th amendment greatly adds to ~~the~~ the power of the state government.

In conclusion, the frames of the

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4C4

Constitution creates a federal system with specific rights ~~go~~ given to the federal government and certain reserved rights to the state government. Over the course of ~~the~~ this country's history this federalism system has worked out and it can be proven by the ~~the~~ current ~~perfect~~ balanced relationship between ~~the~~ state and the federal government of the United States of ~~the~~ America.

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2007 SCORING COMMENTARY

Question 4

Overview

This question asked students to define federalism and to explain how certain tools are used by the federal and state governments to affect government policy in order to increase their respective influence.

Sample: 4A

Score: 5

In part (a) the response earned 1 point for correctly defining federalism as “a system of government in which power is divided and shared between the national government and the states, and other levels of government.”

In part (b) the response earned 1 point for explaining that categorical grants specify “how the state is to spend the money,” thereby increasing the power of the federal government relative to the states. The response earned a second point in part (b) for explaining that a federal mandate requires “an action that the state must do,” thereby increasing the power of the federal government relative to the states.

In part (c) the response earned 1 point for explaining how block grants give states discretion, thereby increasing the power of the state government relative to the federal government. The response earned a second point in part (c) for explaining that states use the Tenth Amendment to justify state action, thereby increasing the power of the state government relative to the federal government.

Sample: 4B

Score: 3

In part (a) the response earned 1 point for correctly defining federalism as “a system of government in which power is divided between the National Government and the local/state governments, each being supreme in its own sphere.”

In part (b) the response earned 1 point for explaining that “categorical grants have specific restrictions and limitations on how the money granted is to be spent,” thereby increasing the power of the federal government relative to the states. The response earned a second point in part (b) for explaining that selective incorporation extends the Bill of Rights to the states, “applying federal government-level standards to the state level,” thereby increasing the power of the federal government relative to the states.

In part (c) the response did not earn any points because it does not correctly explain how federal block grants or the Tenth Amendment increase the power of the state government relative to the federal government.

Sample: 4C

Score: 1

In part (a) the response earned 1 point for correctly defining federalism: “Federalism is when there’s a distinction [*sic*] between the federal government and the state government with the federal government being the supreme, superior of the two.”

In part (b) the response did not earn any points because there is no correct explanation of how categorical grants or federal mandates increase the power of the federal government relative to the state government.

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Question 4 (continued)

In part (c) the response did not earn any points because there is no correct explanation of how federal block grants or the Tenth Amendment increase the power of the state government relative to the federal government.